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Senate

The Senate met at 9 a.m. and was called to order by the President pro tempore (Mr. THURMOND).

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

God of judgement and grace, tomorrow we commemorate the death of Katherine Lee Bates 69 years ago. Many of us may not recognize her name but we all know the words of the beloved prayer she wrote as part of what is now a favorite hymn.

O beautiful for patriot dream
That sees beyond the years.
Thine alabaster cities gleam
undimmed by human tears.
America! America!
God shed His grace on thee,
And crown thy good with brother-
hood
From sea to shining sea.

Father, cleanse any prejudice from our hearts and help us press on in the battle to assure equality of education, housing, job opportunities, advancement, and social status for all, regardless of race or creed. May this Senate be distinguished in crowning good with brotherhood in the ongoing challenge to extricate people from the syndrome of poverty and in the effort to assure life, liberty, and the pursuit of happiness for all people. Crown our good with a renewed commitment to You as our Father and one another as equal sisters and brothers. Through Him who taught us that how we care for the poor and disadvantaged will affect where we spend eternity. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the distinguished Senator from Alabama, is recognized.

SCHEDULE

Mr. SESSIONS. Mr. President, this morning the Senate will immediately proceed to executive session for a roll-call vote on the confirmation of the nomination of M. Margaret McKeown to be United States Circuit Judge for the Ninth Circuit.

Following that vote, the Senate is expected to begin consideration of the budget resolution. Under the statute, there are 50 hours of debate on the resolution. However, I hope we could yield a good portion of that time back. On Monday, if an adequate amount of time is yielded back on the budget resolution, then it would be the leader's intention to postpone any votes on Monday until Tuesday. As always, all Senators will be notified when that is worked out.

Next week, in addition to completing action on the budget resolution and the Coverdell A+ education bill, we may also take up and finish the emergency supplemental appropriations conference report, if available. Colleagues are warned in advance that next week will be a hectic week as we work toward the Easter recess.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF M. MARGARET MCKEOWN, OF WASHINGTON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

The PRESIDENT PRO TEMPORE. The clerk will report the nomination.

The legislative clerk read the nomination of M. Margaret McKeown, of Washington, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDENT PRO TEMPORE. The question is, Will the Senate advise and consent to the nomination of M. Margaret McKeown to be United States Circuit Judge for the Ninth Circuit?

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Vermont (Mr. BENNETT), the Senator from Wyoming (Mr. ENZI), the Senator from North Carolina (Mr. FAIRCLOTH), the Senator from Texas (Mr. GRAMM), the Senator from Utah (Mr. HATCH), the Senator from North Carolina (Mr. HELMS), the Senator from Arkansas (Mr. HUTCHINSON), and the Senator from Oklahoma (Mr. INHOFE) are necessarily absent.

I further announce that, if present and voting, the Senator from Utah (Mr. HATCH) would vote "yea."

Mr. FORD. I announce that the Senator from Maine (Mr. KERRY) is necessarily absent.

The PRESIDING OFFICER (Mr. SESSIONS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 80, nays 11, as follows:

[Rollcall Vote No. 48 Ex.]

YEAS—80

Abraham	Feingold	Mack
Akaka	Feinstein	McCain
Baucus	Ford	Mikulski
Biden	Frist	Moseley-Braun
Bingaman	Glenn	Moynihan
Bond	Gorton	Murkowski
Boxer	Graham	Murray
Breaux	Grams	Reed
Brownback	Gregg	Reid
Bryan	Hagel	Robb
Bumpers	Harkin	Roberts
Burns	Hollings	Rockefeller
Byrd	Hutchison	Roth
Campbell	Inouye	Sarbanes
Chafee	Jeffords	Sessions
Cleland	Johnson	Shelby
Cochran	Kempthorne	Smith (OR)
Collins	Kennedy	Snowe
Conrad	Kerrey	Specter
Coverdell	Kohl	Stevens
Craig	Landrieu	Thomas
D'Amato	Lautenberg	Thompson
Daschle	Leahy	Thurmond
Dodd	Levin	Torricelli
Domenici	Lieberman	Wellstone
Dorgan	Lott	Wyden
Durbin	Lugar	

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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NAYS—11

Allard	Grassley	Santorum
Ashcroft	Kyl	Smith (NH)
Coats	McConnell	Warner
DeWine	Nickles	

NOT VOTING—9

Bennett	Gramm	Hutchinson
Enzi	Hatch	Inhofe
Faircloth	Helms	Kerry

The nomination was confirmed.

THE NOMINATION OF EDWARD F. SHEA, OF WASHINGTON, TO BE U.S. DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON

The PRESIDING OFFICER. Pursuant to the previous order, Executive Calendar No. 504, Edward F. Shea, of Washington, is confirmed as United States District Judge for the Eastern District of Washington.

Mr. LEAHY. Mr. President, I move to reconsider the vote.

Mr. BYRD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, I understand both nominees are now confirmed?

The PRESIDING OFFICER. That is correct.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

The Senator from Washington.

THE CONFIRMATION OF JUDGES MARGARET MCKEOWN AND ED SHEA

Mrs. MURRAY. Mr. President, this is really a great morning. After 2 years, I have the immense pleasure of voting with the majority of my colleagues to confirm two judges that I have worked very hard to get through this often difficult process. I thank my colleagues for their support of these two fine individuals, Ms. Margaret McKeown and Mr. Ed Shea. In particular, I thank our chairman, Senator HATCH, our ranking member, Senator LEAHY, and my colleague, Senator GORTON, for their perseverance on behalf of these two individuals.

I would first like to tell my colleagues about the newest judge to the Ninth Circuit, Ms. McKeown. Before coming to the Senate, I had heard across the spectrum that Ms. McKeown was one of the finest business lawyers in the northwest. Now that she and I have spent time together, I have come to understand why she had that reputation: she is tenacious, does outstanding work, is an accomplished advocate, and has the patience of Job.

Let me summarize some of the high points of Ms. McKeown's career:

She was the first woman partner at the 70-year-old, prestigious firm of Perkins Coie;

She has served for 11 years on the Perkins Coie executive and management committees;

She is a nationally recognized litigator who was named in Top Players in High Tech Intellectual Property;

Her range of litigation is amazing: one day she is litigating about the typeface in personal computers, the next day she is defending a securities case, the next day she might be litigating avionics in military aircraft;

She was president of the Federal Bar Association for the Western District of Washington and a lawyer representative to the Ninth Circuit Judicial Conference;

She has worked as an aide to United States Senator Cliff Hansen of Wyoming, as a special assistant under President Carter to Interior Secretary Andrus, and as White House Fellow under President Reagan;

She is on the executive committee of the Washington State Council on International Trade; and

She has served as counsel for the Downtown Seattle Business Association.

While who you know is important, and what you do as a lawyer is critical, where you put your priorities is also vital. One of the reasons I so strongly supported Ms. McKeown's nomination is because of her commitment to her community and family.

I am amazed that the same person who represented Boeing in a multi-billion dollar merger and who has successfully defended Citibank in a complex leverage buy out case has also served in virtually every position in the Girl Scouts. She has been a Brownie leader, troop consultant, committee member, and for nine years, member of the National Board of Directors of Girl Scouts of the USA and a member of the Executive Committee. Even with her national commitments, Ms. McKeown makes time for the girls themselves, leading her daughter, Megan's, Junior Girl Scout Troop #1091.

Ms. McKeown is active in other arenas as well. She volunteers in the schools, with YMCA, with the Children's Museum, and on abused children projects. I want to point out something else special about Ms. McKeown: She has received the Good Housekeeping seal of approval. That magazine several years ago named Ms. McKeown as one of the "100 Women of Promise in America."

Mr. President, Margaret McKeown is a highly-qualified lawyer with a diverse background, who has demonstrated her commitment to community and family. Now, finally, after surviving the political and judicial battles for two years, she will take her seat on the Ninth Circuit and become an outstanding judge. Congratulations, Margaret, we finally made it!

Mr. President, I also want to thank my colleagues for confirming Mr. Shea this morning to serve on Washington's Eastern District Court. While Mr. Shea's road to confirmation has not

been as filled with hurdles as Ms. McKeown's, it is a great pleasure to see this fine lawyer move onto the Federal bench.

Mr. Shea will make an excellent judge. He is a highly respected member of the legal profession. He has served with distinction as a trial lawyer, including national recognition as a Fellow of the American College of Trial Lawyers.

The five superior court judges in Benton and Franklin counties, where Mr. Shea has lived and practiced for more than 25 years, have written a letter describing him as having a "well-earned reputation, not only in our community but throughout the Northwest, as an outstanding trial lawyer." His fellow Washington state lawyers honored him by electing him president of the Washington State Bar Association, where he served with distinction. Many of them have approached me to congratulate me on my role in promoting Mr. Shea's judicial candidacy.

While we must look first to his legal qualifications, I believe the best judges are those who have worked in their communities to make them better places. Mr. Shea is well-qualified in that arena, too. He has been an advocate of equal access to the law, volunteering and working to get free or reduced legal services to local organizations, such as the March of Dimes, the Sexual Assault Response Center, and the Faith Christian Academy.

Mr. Shea also worked hard in an area nearest to my heart: education. He pushed to improve access to education in his community by helping establish a branch campus of the Washington State University in the Tri-Cities. He too has been a stalwart supporter of the March of Dimes, recently being named the Chapter Counsel of the Year by the national March of Dimes.

Mr. Shea is a well-respected member of the business community. He has the unanimous support of the board of the Tri-City Industrial Development Council. Mr. Shea has received two strongly-supportive editorials in the Tri-City Herald. Numerous members of the business community have thanked me for championing his nomination.

Mr. President, Mr. Shea was selected by a bi-partisan Judicial Merit Selection Committee comprised of a diverse group of lawyers and community leaders. I have faith in that selection process and believe Mr. Shea will be an outstanding member of the Federal bar.

Let me close by saying a few words about judicial nominations and the process we have developed in Washington. As I travel around my state, people ask me why we have so many judicial vacancies. I haven't been able to give them a good answer, but can only point to political one-upmanship as the culprit.